IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

ST.Rev..No. 289 of 2003

(*TA.553/2002 of S.T.A.T.ADDL.BENCH,ERNAKULAM*)

PETITIONER/RESPONDENT/ASSESSEE.

JOHNY JOSEPH, M/S.J.J.ENTERPRISES,
M.G.ROAD, ERNAKULAM.

BY ADV. SRI.RAJU JOSEPH

RESPONDENT/APPELLANT/REVENUE:

STATE OF KERALA REP. BY
DEPUTY COMMISSIONER(LAW)
COMMERCIAL TAXES, ERNAKULAM.

BY SR. GOVERNMENT PLEADER SHRI MUHAMMED RAFIQ.

THIS SALES TAX REVISION HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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SALES TAX REVISION No. 289 OF 2003

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Dated this the 14th August , 2007

O R D E R

H.L. Dattu, C.J.:

This revision petition is filed questioning the legality or otherwise of the orders passed by the Sales Tax Appellate Tribunal in T.A.No. 553 of 2002 dated 29.04.2003. The assessment year in question is 1989-90.

2. The questions of law framed in this revision for our consideration and decision are identical to that of the questions of law raised in Sales Tax Revision No.287 of 2003, which is disposed of by us today. Since the questions of law raised are identical to that of the questions of law raised in Sales Tax Revision No 287 of 2003, this Revision is also disposed of in terms of the order passed by us in Sales Tax Revision No.287 of 2003.

3. Accordingly, the questions of law framed by the assessee is answered against the assessee and in favour of the Revenue. Therefore, the Revision case requires to be rejected and it is rejected. In the facts and circumstances of the case, the parties are directed to bear their own costs.

4. I.A.No. 2232 of 2003 is also disposed of.

Ordered accordingly .

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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H.L. DATTU, C.J.&
K.T. SANKARAN, J.

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S.T.REV. No. 289 OF 2003

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Dated this the 14th August, 2007

O R D E R